

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DIANA HARRIS

Plaintiff,

v.

THOMAS JEFFERSON UNIVERSITY
HOSPITALS, INC.

Defendant.

CIVIL ACTION

Docket No. 2:23-cv-04238-MMB

ORDER

AND NOW, this ____ day of October 2024, upon consideration of the Motion to Compel by Defendant Thomas Jefferson University and Hospitals (hereinafter “TJUH” or “Defendant”), and any opposition and reply thereto, it is hereby **ORDERED** that Defendant’s Motion is **GRANTED**. Plaintiff shall appear within fourteen (14) days of this Order for a deposition at Obermayer Rebmann Maxwell and Hippel to answer questions regarding her lawsuit against TJUH. Plaintiff shall also produce all records related to her alleged disability, including but not limited to progress notes and therapy notes. In addition, Plaintiff shall produce all records related to her current employment with Philadelphia Health Management Corporation, including but not limited to W-2s, pay stubs, tax returns, and other documents within seven (7) days of this Order.

IT IS SO ORDERED.

BY THE COURT:

MICHAEL M. BAYLSON, U.S.D.J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DIANA HARRIS

Plaintiff,

v.

THOMAS JEFFERSON UNIVERSITY
HOSPITALS, INC.

Defendant.

CIVIL ACTION

Docket No. 2:23-cv-04238- MMB

**MOTION TO COMPEL DEPOSITION
OF PLAINTIFF DIANA HARRIS**

Consistent with Federal Rules of Civil Procedure 37(a) and Local Rule 26.1, Defendant Thomas Jefferson University Hospitals (the “Defendant” or “TJUH”) moves this Honorable Court for an Order compelling Plaintiff Diana Harris to appear for a deposition and produce records pursuant to TJUH’s Notice, which was personally served on Ms. Harris.

The grounds for this Motion are set forth in the attached Memorandum of Law, which is fully incorporated.

Respectfully submitted,

/s/Melissa K. Atkins

Melissa K. Atkins, Esq. (Pa. ID. 310820)

OBERMAYER REBMANN

MAXWELL & HIPPEL LLP

Centre Square West

1500 Market Street, Suite 3400

Philadelphia, PA 19102

Tel.: (215) 665-3146

Fax: (215) 665-3165

melissa.atkins@obermayer.com

October 9, 2024

Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DIANA HARRIS

Plaintiff,

v.

THOMAS JEFFERSON UNIVERSITY
HOSPITALS, INC.

Defendant.

CIVIL ACTION

Docket No. 2:23-cv-04238- MMB

**MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT'S
MOTION TO COMPEL DEPOSITION OF
PLAINTIFF DIANA HARRIS**

Melissa Atkins (Pa. ID No. 310820)

OBERMAYER REBMANN
MAXWELL & HIPPEL LLP
1500 Market Street, Suite 3400
Philadelphia, PA 19102
melissa.atkins@obermayer.com

Date: October 9, 2024

Attorneys for Defendant

INTRODUCTION

On September 26 and October 8, 2024, the plaintiff, Diana Harris, did not appear for her deposition despite being served with deposition notices by TJUH. Plaintiff has not been responsive and has shown no interest in proceeding with this case. Instead, she continues to waste unnecessary resources. Despite multiple efforts by TJUH's counsel to proceed with discovery, Plaintiff remains unresponsive and uncooperative. As a result, TJUH is compelled to move this Court to compel Plaintiff's deposition.

FACTUAL BACKGROUND

Plaintiff filed this lawsuit against TJUH on November 1, 2023, alleging unlawful discrimination and retaliation in violation of the Americans with Disabilities Act, 42 U.S.C. §12101, *et seq* ("ADA"). On May 16, 2024, the Court issued an Order granting Plaintiff's counsel, Kevin Lovitz's, motion to withdraw due to a breakdown in the attorney-client relationship caused by Ms. Harris' lack of communication and responsiveness to counsel. Plaintiff has been unable to find new legal representation, is representing themselves, and has continued to lack communication and responsiveness. TJUH has attempted to contact Plaintiff by email and letter so that it may proceed with discovery and defending this matter. However, Plaintiff has been, for the most part, unresponsive to TJUH's communications. (*See* all Exhibits attached hereto.)

Following this Court's Order on May 16, 2024, TJUH's counsel sent a letter to Ms. Harris on June 13, 2024, requesting that her new counsel or her contact TJUH to proceed with the case. (*See* Exhibit A) Plaintiff failed to respond. On June 25, 2024, TJUH requested a postponement of the June 25th settlement conference to proceed with discovery before attempting a settlement conference. On July 1, 2024, TJUH's counsel sent a follow-up email to the Plaintiff, requesting that she contact them before the close of business on July 2, 2024. (*See*

Exhibit B) Plaintiff responded on July 2, 2024, acknowledging the email. (*See* Exhibit C) Within minutes, TJUH’s counsel immediately replied to the Plaintiff, requesting a demand. (*See* Exhibit D) However, Plaintiff did not respond and has not responded to any communications from TJUH’s counsel since July 2, 2024. On July 15, 2024, TJUH’s counsel sent additional correspondence to the Plaintiff requesting mutually agreeable dates in September to schedule her deposition. (*See* Exhibit E.) The Plaintiff never responded to TJUH’s counsel’s email. TJUH followed up with the Plaintiff on July 24, 2024, again requesting dates (*See* Exhibit E.). On August 12, 2024, TJUH served Plaintiff a Notice of Deposition. (*See* Exhibit F.). The deposition was scheduled for September 26 at 10:00 a.m. at the Law Offices of Obermayer Rebmann Maxwell & Hippel LLP. However, the Plaintiff failed to appear and failed to contact TJUH’s counsel to inform them that she was unable to attend or needed to reschedule the deposition. To avoid unnecessary court intervention, TJUH rescheduled the deposition and served Plaintiff another Notice of Deposition. (*See* Exhibit G.) The deposition was rescheduled for October 8 at 10:00 a.m. at the Law Offices of Obermayer Rebmann Maxwell & Hippel LLP. However, again, the plaintiff failed to appear and neglected to contact TJUH’s counsel to explain her absence or request a rescheduled deposition. (*See* Exhibit H.)

LEGAL ARGUMENT

“Comprehensive discovery is the staple of modern American litigation practice[,]” because it enables parties to develop their cases pretrial, which “results in efficiency and leads to a trial on the merits.” *Constand v. Cosby*, 232 F.R.D. 494, 497 (E.D. Pa. 2006). Though not limitless, the scope of discovery is broad: parties may obtain discovery regarding any matter, not privileged, that is relevant to the claim or defense of any party.” Fed. R. Civ. P. 26(b); *see also Constand*, 232 F.R.D. at 497. Federal Rule of Civil Procedure 37 allows a party to move for an order compelling discovery, including depositions.

Here, TJUH has contacted Plaintiff by email and certified US Mail. Plaintiff is unresponsive and uncooperative, which is precisely the circumstances that merit an order from this Court to compel deposition. This Court has already granted motions to compel discovery in similar circumstances. For example, in *Yarus v. Walgreen Co.*, the Court granted a motion to compel when the deponent failed to attend his deposition without notice or excuse. No. 14-1656, 2015 WL 4041955, at *1-2 (E.D. Pa. July 1, 2015). Similarly, in *Pilot Air Freight Corp. v. Knight-Ridder, Inc.*, the Court granted a motion to compel deposition and scheduled another deposition date when the deponent walked out of his deposition before it was completed. No. CIV.A. 93CV0057, 1993 WL 418362, at *1 (E.D. Pa. Oct. 15, 1993). Similarly, Plaintiff's failure to communicate and refusal to acknowledge the Deposition Notice provides sufficient evidence that she will not willingly participate in a deposition. Therefore, the Court's intervention is necessary.

CONCLUSION

Ms. Harris has failed to appear twice for her deposition and has not yet responded in any fashion to TJUH's counsel's communications since July. Accordingly, TJUH respectfully requests that this Court grant its motion and compel Plaintiff to appear for a deposition at Obermayer Rebmann Maxwell and Hippel and to produce all records related to her alleged disability and current employment with Philadelphia Health Management Corporation (including but not limited

to, progress notes, W-2s, pay-stubs, tax returns, and other documents).

Respectfully submitted

/s/ Melissa K. Atkins
Melissa K. Atkins, Esq. (Pa. ID. 310820)
OBERMAYER REBMANN
MAXWELL & HIPPEL LLP
Centre Square West
1500 Market Street, Suite 3400
Philadelphia, PA 19102
Tel.: (215) 665-3146
Fax: (215) 665-3165
melissa.atkins@obermayer.com

Attorney for Defendant

Dated: October 9, 2024

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DIANA HARRIS

Plaintiff,

v.

THOMAS JEFFERSON UNIVERSITY
HOSPITALS, INC.

Defendant.

CIVIL ACTION

Docket No. 2:23-cv-04238- MMB

**CERTIFICATION PURSUANT TO
LOCAL RULE OF CIVIL PROCEDURE 26.1(f)**

I, Melissa K. Atkins, attorney for Defendant Thomas Jefferson University Hospitals, hereby certify that, as the attached correspondence demonstrates, I attempted to resolve this matter with Plaintiff Diana Harris and without the Court's intervention.

Respectfully submitted

/s/ Melissa K. Atkins

Melissa K. Atkins, Esq. (Pa. ID. 310820)

OBERMAYER REBMANN

MAXWELL & HIPPEL LLP

Centre Square West

1500 Market Street, Suite 3400

Philadelphia, PA 19102

Tel.: (215) 665-3146

Fax: (215) 665-3165

melissa.atkins@obermayer.com

Attorney for Defendant

Date: October 9, 2024

CERTIFICATE OF SERVICE

I, Melissa K. Atkins, hereby certify that on this 9th of October 2024, I caused the foregoing to be filed electronically with the Clerk of the Court by using the CM/ECF system, which will serve a copy on all counsel of record and the Plaintiff by email and certified mail to the following addresses:

Via Certified Mail and E-mail (diana.harrisbears@gmail.com)

Diana Harris
4252 Osage Avenue
Philadelphia, PA 19104

/s/ Melissa K. Atkins
Melissa K. Atkins

Date: October 9, 2024

EXHIBIT A

Atkins, Melissa

From: Martinez, Delisa
Sent: Thursday, June 13, 2024 2:58 PM
To: Diana.Harrisbears@Gmail.com
Cc: Atkins, Melissa
Subject: Harris v. Thomas Jefferson University Hospitals, Inc.
Attachments: 06.13.2024 - Letter to D. Harris.pdf

Dear Ms. Harris,

I hope you are doing well. As you know, our Firm represents Defendant Thomas Jefferson University Hospitals (TJUH) in the case where you are the Plaintiff.

I am sending you this email because, following Kevin Lovitz's withdrawal as your counsel, we have not heard from you or your new counsel. Without knowing who your new counsel is, TJUH cannot proceed effectively with the case.

I am attaching a letter to this email, which you will also receive via mail. If you have obtained new counsel, please forward this letter to your new counsel. If not, please feel free to contact me directly.

We look forward to hearing from you and hope to solve this matter promptly.

Sincerely,
Delisa Martinez



Delisa Martínez
Associate

Obermayer Rebmann Maxwell & Hippel LLP
Centre Square West
1500 Market Street | Suite 3400
Philadelphia, PA 19102-2101
215-665-3103 tel | 215.665.3165 fax
delisa.martinez@obermayer.com | www.obermayer.com



Delisa Martínez

Direct Dial: (215) 665-3103

E-mail: delisa.martinez@obermayer.com

www.obermayer.com

**Obermayer Rebmann Maxwell & Hippel
LLP**

Centre Square West
1500 Market Street | Suite 340

Philadelphia, PA 19102-2101

P: 215.665.3000

F: 215.665.3165

June 13, 2024

VIA CERTIFIED MAIL AND E-MAIL (diana.harrisbears@gmail.com)

Diana Harris

4252 Osage Ave.

Philadelphia, PA 19104

**RE: Harris v. Thomas Jefferson University Hospitals, Inc.,
No. 2:23-cv-04238**

Dear Ms. Harris,

I hope this letter finds you well. As you know, our firm represents Defendant Thomas Jefferson University Hospitals (TJUH) in the case where you are the Plaintiff.

On May 16, 2024, the Pennsylvania Eastern District Court issued an order staying discovery, granting Kevin Lovitz's motion to withdraw as your counsel and giving you until May 31, 2024, to find new representation. The order stated that if you did not find new counsel by the end of the discovery stay, you would be required to represent yourself.

To proceed with the case, we need to know the status of your representation following Kevin Lovitz's withdrawal. It has been two weeks since the discovery stay ended, and we have not heard from you or your new counsel. Without knowing who your new counsel is, TJUH cannot proceed effectively with the case.

If you have obtained legal representation, please forward this letter to your lawyer and ask them to contact me. If not, please don't hesitate to contact me directly. We are hopeful that this matter can be reasonably resolved between the parties.

Very truly yours,

Delisa Martinez, Esquire

EXHIBIT B

Atkins, Melissa

From: Atkins, Melissa
Sent: Tuesday, July 2, 2024 3:48 PM
To: Diana Harris
Subject: RE: Harris v. Thomas Jefferson University Hospitals, Inc.

Thank you.

This matter should be able to resolve, provided the demand is reasonable. Do you have a demand, or would you prefer I contact the Court to reschedule the settlement conference?

Best,

Melissa



Melissa K. Atkins, Esq.
Partner- Labor and Employment Department
Obermayer Rebmann Maxwell & Hippel LLP
Centre Square West
1500 Market Street | Suite 3400
Philadelphia, PA 19102-2101
215.665.3146 tel | 215.665.3165 fax
melissa.atkins@obermayer.com | www.obermayer.com

From: Diana Harris <diana.harrisbears@gmail.com>
Sent: Tuesday, July 2, 2024 3:44 PM
To: Atkins, Melissa <melissa.atkins@obermayer.com>
Subject: Re: Harris v. Thomas Jefferson University Hospitals, Inc.

WARNING: This email originated from an external sender. Exercise caution before clicking links or opening attachments. When in doubt, contact the IT department.

Afternoon Ms. Atkins,

Thank you for your emails. While I have not retained a lawyer I am acknowledging your emails. I will follow up after the July 4th holiday. Looking forward to resolving amicably.

Best,
Diana Harris

On Mon, Jul 1, 2024 at 4:58 PM Atkins, Melissa <melissa.atkins@obermayer.com> wrote:

Ms. Harris,

I hope this email finds you well. My colleague emailed you on June 13, and we have not received a response to date. Accordingly, please call me or respond to this email by the close of business tomorrow so we can continue to proceed with the case. If I do not hear from you by 5:00 PM tomorrow, I will notify the court of your failure to respond. Thank you for your attention to this matter.

Best,

Melissa



Melissa K. Atkins, Esq.

Partner- Labor and Employment Department

Obermayer Rebmann Maxwell & Hippel LLP

Centre Square West

1500 Market Street | Suite 3400
Philadelphia, PA 19102-2101
215.665.3146 tel | 215.665.3165 fax

melissa.atkins@obermayer.com | www.obermayer.com

From: Martinez, Delisa <delisa.martinez@obermayer.com>

Sent: Thursday, June 13, 2024 2:58 PM

To: Diana.Harrisbears@Gmail.com

Cc: Atkins, Melissa <melissa.atkins@obermayer.com>

Subject: Harris v. Thomas Jefferson University Hospitals, Inc.

Dear Ms. Harris,

I hope you are doing well. As you know, our Firm represents Defendant Thomas Jefferson University Hospitals (TJUH) in the case where you are the Plaintiff.

EXHIBIT C

Atkins, Melissa

From: Atkins, Melissa
Sent: Tuesday, July 2, 2024 3:48 PM
To: Diana Harris
Subject: RE: Harris v. Thomas Jefferson University Hospitals, Inc.

Thank you.

This matter should be able to resolve, provided the demand is reasonable. Do you have a demand, or would you prefer I contact the Court to reschedule the settlement conference?

Best,

Melissa



Melissa K. Atkins, Esq.
Partner- Labor and Employment Department
Obermayer Rebmann Maxwell & Hippel LLP
Centre Square West
1500 Market Street | Suite 3400
Philadelphia, PA 19102-2101
215.665.3146 tel | 215.665.3165 fax
melissa.atkins@obermayer.com | www.obermayer.com

From: Diana Harris <diana.harrisbears@gmail.com>
Sent: Tuesday, July 2, 2024 3:44 PM
To: Atkins, Melissa <melissa.atkins@obermayer.com>
Subject: Re: Harris v. Thomas Jefferson University Hospitals, Inc.

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Afternoon Ms. Atkins,

Thank you for your emails. While I have not retained a lawyer I am acknowledging your emails. I will follow up after the July 4th holiday. Looking forward to resolving amicably.

Best,
Diana Harris

On Mon, Jul 1, 2024 at 4:58 PM Atkins, Melissa <melissa.atkins@obermayer.com> wrote:

Ms. Harris,

EXHIBIT D

Atkins, Melissa

From: Atkins, Melissa
Sent: Tuesday, July 2, 2024 3:48 PM
To: Diana Harris
Subject: RE: Harris v. Thomas Jefferson University Hospitals, Inc.

Thank you.

This matter should be able to resolve, provided the demand is reasonable. Do you have a demand, or would you prefer I contact the Court to reschedule the settlement conference?

Best,

Melissa



Melissa K. Atkins, Esq.
Partner- Labor and Employment Department
Obermayer Rebmann Maxwell & Hippel LLP
Centre Square West
1500 Market Street | Suite 3400
Philadelphia, PA 19102-2101
215.665.3146 tel | 215.665.3165 fax
melissa.atkins@obermayer.com | www.obermayer.com

From: Diana Harris <diana.harrisbears@gmail.com>
Sent: Tuesday, July 2, 2024 3:44 PM
To: Atkins, Melissa <melissa.atkins@obermayer.com>
Subject: Re: Harris v. Thomas Jefferson University Hospitals, Inc.

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Afternoon Ms. Atkins,

Thank you for your emails. While I have not retained a lawyer I am acknowledging your emails. I will follow up after the July 4th holiday. Looking forward to resolving amicably.

Best,
Diana Harris

On Mon, Jul 1, 2024 at 4:58 PM Atkins, Melissa <melissa.atkins@obermayer.com> wrote:

Ms. Harris,

EXHIBIT E

Atkins, Melissa

From: Atkins, Melissa
Sent: Wednesday, July 24, 2024 5:59 PM
To: 'Diana Harris'
Subject: RE: Harris v. Thomas Jefferson University Hospitals, Inc.

Ms. Harris,

Ms. Harris, I hope this message finds you well. I've noticed a lack of response from you since your counsel's withdrawal. Nonetheless, and as you are aware, you initiated this federal lawsuit, and it's important to keep it moving forward. Accordingly, please provide your availability for deposition during the second or third week of September. If I don't hear from you by the close of business (COB) on Friday, I will proceed to unilaterally schedule the deposition and send you a Notice to appear. I look forward to your prompt response.

Best,

Melissa



Melissa K. Atkins, Esq.
Partner- Labor and Employment Department
Obermayer Rebmann Maxwell & Hippel LLP
Centre Square West
1500 Market Street | Suite 3400
Philadelphia, PA 19102-2101
215.665.3146 tel | 215.665.3165 fax
melissa.atkins@obermayer.com | www.obermayer.com

From: Atkins, Melissa
Sent: Monday, July 15, 2024 12:50 PM
To: Diana Harris <diana.harrisbears@gmail.com>
Subject: RE: Harris v. Thomas Jefferson University Hospitals, Inc.
Importance: High

Ms. Harris,

I just wanted to follow up on your email below. As communicated before, whether you are represented or not, this case needs to proceed. Accordingly, please provide a settlement demand and dates in September when you are available for your deposition.

Best,

Melissa



Melissa K. Atkins, Esq.
Partner- Labor and Employment Department
Obermayer Rebmann Maxwell & Hippel LLP
Centre Square West
1500 Market Street | Suite 3400
Philadelphia, PA 19102-2101
215.665.3146 tel | 215.665.3165 fax
melissa.atkins@obermayer.com | www.obermayer.com

From: Diana Harris <diana.harrisbears@gmail.com>
Sent: Tuesday, July 2, 2024 3:44 PM
To: Atkins, Melissa <melissa.atkins@obermayer.com>
Subject: Re: Harris v. Thomas Jefferson University Hospitals, Inc.

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Afternoon Ms. Atkins,

Thank you for your emails. While I have not retained a lawyer I am acknowledging your emails. I will follow up after the July 4th holiday. Looking forward to resolving amicably.

Best,
Diana Harris

On Mon, Jul 1, 2024 at 4:58 PM Atkins, Melissa <melissa.atkins@obermayer.com> wrote:

Ms. Harris,

I hope this email finds you well. My colleague emailed you on June 13, and we have not received a response to date. Accordingly, please call me or respond to this email by the close of business tomorrow so we can continue to proceed with the case. If I do not hear from you by 5:00 PM tomorrow, I will notify the court of your failure to respond. Thank you for your attention to this matter.

Best,

Melissa

EXHIBIT F



Melissa K. Atkins
Direct Dial: 215-665-3146
melissa.atkins@obermayer.com

Obermayer Rebmann Maxwell & Hippel LLP
Attorneys At Law
Centre Square West
1500 Market Street, Suite 3400
Philadelphia, PA 19102
P (215) 665-3000
F (215) 665-3165

August 12, 2024

VIA E-MAIL (diana.harrisbears@gmail.com)

Diana Harris
4252 Osage Ave.
Philadelphia, PA 19104

**RE: Harris v. Thomas Jefferson University Hospitals, Inc.,
No. 2:23-cv-04238**

Dear Ms. Harris,

Enclosed please find a Notice of Deposition in regards to this matter.

Very truly yours,

Melissa K. Atkins

MKA/dma
enclosure

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DIANE HARRIS

Plaintiff,

v.

THOMAS JEFFERSON UNIVERSITY.
HOSPITALS, INC.

Defendant

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JURY DEMANDED

CIVIL ACTION NO. 2: 23-CV-04238

NOTICE OF DEPOSITION OF DIANA HARRIS

To: **Via Electronic-Mail**
Diana Harris
diana.harrisbears@gmail.com
4252 Osage Avenue
Philadelphia, PA 19104

PLEASE TAKE NOTICE that pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendant, Thomas Jefferson University Hospitals, Inc., by and through their undersigned counsel, will take the oral and videotaped deposition of Diana Harris at the Law Offices of Obermayer Rebmann Maxwell & Hippel LLP, 1500 Market St., Suite 3400 W., Philadelphia, PA 19102 on Thursday September 26, 2024 at 10:00 a.m. on all matters not privileged which are relevant and material to the issues and subject matter involved in the pending action, and that the above-named is requested to appear at the aforesaid time at the above address and submit to examination under oath. The deposition will be recorded by stenographic transcription. The deposition will continue from day to day until completed.

[SIGNATURE PAGE FOLLOWS]



Melissa K. Atkins, Esquire
Obermayer Rebmann Maxwell & Hippel LLP
Centre Square West
1500 Market Street, Suite 3400
Philadelphia, PA 19102
(215) 665-3146

Attorneys for Defendant,
Thomas Jefferson University Hospitals, Inc.

Dated: August 12, 2024

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 12th day of August 2024, a copy of the **Notice of Deposition of Diana Harris** was served via electronic mail as follows:

Diana Harris
diana.harrisbears@gmail.com
4252 Osage Avenue
Philadelphia, PA 19104

A handwritten signature in blue ink, appearing to read 'Mel Atkins', with a long horizontal flourish extending to the right.

Melissa K. Atkins, Esquire

EXHIBIT G

Atkins, Melissa

From: Ament, Diane
Sent: Wednesday, October 2, 2024 2:58 PM
To: diana.harrisbears@gmail.com
Cc: Atkins, Melissa; Martinez, Delisa
Subject: Harris v. Thomas Jefferson University Hospitals, Inc.,; No. 2:23-cv-04238
Attachments: Ltr to D. Harris encl. Notice of Depo. 10.2.24 4883-3926-8567 v.1.pdf; diana harris deposition notice 10.8.24.pdf

Please see the attached from Melissa Atkins. Thank you.



Diane Ament

Legal Assistant to:
Thomas T. Hearn, Esquire
Melissa Atkins, Esquire
Aimee Schnecker, Esquire
Madison Melinek, Esquire

Obermayer Rebmann Maxwell & Hippel LLP

Centre Square West
1500 Market Street | Suite 3400
Philadelphia, PA 19102-2101
215.665.3049 tel | 215.665.3165 fax
diane.ament@obermayer.com | www.obermayer.com



Melissa K. Atkins
Direct Dial: 215-665-3146
melissa.atkins@obermayer.com

Obermayer Rebmann Maxwell & Hippel LLP
Attorneys At Law
Centre Square West
1500 Market Street, Suite 3400
Philadelphia, PA 19102
P (215) 665-3000
F (215) 665-3165

October 2, 2024

VIA CERTIFIED MAIL AND E-MAIL (diana.harrisbears@gmail.com)

Diana Harris
4252 Osage Ave.
Philadelphia, PA 19104

RE: Harris v. Thomas Jefferson University Hospitals, Inc.,
No. 2:23-cv-04238

Dear Ms. Harris,

Enclosed please find a Notice of Deposition in regards to this matter.

Very truly yours,

Melissa K. Atkins

MKA/dma
enclosure

EXHIBIT H

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DIANA HARRIS

Plaintiff,

v.

THOMAS JEFFERSON UNIVERSITY.
HOSPITALS, INC.

Defendant

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JURY DEMANDED

CIVIL ACTION NO. 2: 23-CV-04238

NOTICE OF DEPOSITION OF DIANA HARRIS

To: **Via Certified Mail and Electronic Mail**

Diana Harris

diana.harrisbears@gmail.com

4252 Osage Avenue

Philadelphia, PA 19104

PLEASE TAKE NOTICE that pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendant, Thomas Jefferson University Hospitals, Inc., by and through their undersigned counsel, will take the oral deposition of Diana Harris at the Law Offices of Obermayer Rebmann Maxwell & Hoppel LLP, 1500 Market St., Suite 3400 W., Philadelphia, PA 19102 on Tuesday, October 8, 2024 at 10:00 a.m. on all matters not privileged which are relevant and material to the issues and subject matter involved in the pending action, and that the above-named is requested to appear at the aforesaid time at the above address and submit to examination under oath. The deposition will be recorded by stenographic transcription. The deposition will continue from day to day until completed.

[SIGNATURE PAGE FOLLOWS]



Melissa K. Atkins, Esquire
Obermayer Rebmann Maxwell & Hippel LLP
Centre Square West
1500 Market Street, Suite 3400
Philadelphia, PA 19102
(215) 665-3146

Attorneys for Defendant,
Thomas Jefferson University Hospitals, Inc.

Dated: October 2, 2024

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 2nd day of October 2024, a copy of the **Notice of Deposition of Diana Harris** was served via certified mail and electronic mail as follows:

Diana Harris
diana.harrisbears@gmail.com
4252 Osage Avenue
Philadelphia, PA 19104

A handwritten signature in blue ink, appearing to read 'Mel Atkins', is written above a horizontal line.

Melissa K. Atkins, Esquire